

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

DELOISE PRICE,

PLAINTIFF

vs.

WAL-MART STORES, INC.; AND
EXTREME PERFORMANCE, INC.,

DEFENDANTS.

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DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA
Case No. 06-1715

NOTICE OF FILING NOTICE OF REMOVAL

To: Ms. Melissa Rittenour
Circuit Clerk
Montgomery County Courthouse
251 South Lawrence Street
Montgomery, Alabama 36104

Pursuant to 28 U.S.C. § 1446(d), defendant, Wal-Mart Stores East, LP, incorrectly named in the Complaint as Wal-Mart Stores, Inc., hereby gives notice to the Circuit Court of Montgomery County, Alabama and to, Brian P. Strength, attorney for plaintiff, that the defendant filed a Notice of Removal with the United States District Court for the Middle District of Alabama, Northern Division, and that this case has been removed to that court. A true and correct copy of the Notice of Removal is attached hereto.

By:

John A. Earnhardt

Robert H. Fowlkes

Attorney for Defendant

OF COUNSEL

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing pleading has been served upon all counsel of record by placing a copy thereof in the United States mail, properly addressed, on this the 11th day of August, 2006:

Jock M. Smith, Esq.

Brian P. Strength, Esq

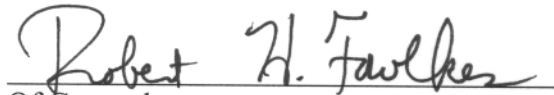
Valerie Rucker Russell, Esq.

COCHRAN, CHERRY, GIVENS,

SMITH, LANE & TAYLOR, P.C.

P.O. Box 830419

Tuskegee, AL 36083


Of Counsel